



S-06-a

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#4

Express Mail No. EV064838826US

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (To be used for all correspondence after initial filing)	Application Number	10/090,458
	Filing Date	March 1, 2002
	First Named Inventor	Hongyun Chen
	Group Art Unit	1645
	Examiner Name	
	Attorney Docket No.	100103.403

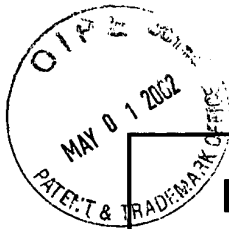
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <u>Copy of Notice to File Missing Parts; Copy of Assignment; Request for Corrected Filing Receipt; Copy of Filing Receipt (with corrections in red)</u> _____ _____
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Jane E. R. Potter <i>for</i>	 00500 PATENT TRADEMARK OFFICE
Signature	<i>Julie Vrtat</i> Reg No 50,461	
Date	May 1, 2002	



Express Mail No. EV064838826US
PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **675.00**

Complete if Known

Application Number **10/090,458**
Filing Date **March 1, 2002**
First Named Inventor **H ngyun Chen**
Examiner Name
Group Art Unit **1645**
Attorney Docket No. **100103.403**

METHOD OF PAYMENT

☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other
☐ Deposit Account:
Deposit Account Number **19-1090**
Deposit Account Name **Seed Intellectual Property Law Group PLLC**
The Commissioner is authorized to (check all that apply)
☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any deficiencies
to the above-identified deposit account.
☒ Applicant claims small entity status. See 37 CFR 1.27.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 370)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
28	-20 = 8	9	72
Independent Claims	7	-3 = 4	42
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 240)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$ 65)**

SUBMITTED BY

Name (Print/Type) **Jane E. R. Potter** Registration No. **33,332**
Firm Name/Address
Signature *Julie V. Potter* Date **May 1, 2002**

(JEP:cew) #276001



00500

PATENT TRADEMARK OFFICE



Express Mail No. EV064838826US
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hongyun Chen et al.
Application No. : 10/090,458
Filed : March 1, 2002
For : NOVEL ABCA5 TRANSPORTER AND USES THEREOF

Art Unit : 1645
Docket No. : 100103.403
Date : May 1, 2002

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated April 1, 2002, please find enclosed the following documents:

 x Fee
 x Oath/Declaration
 x Copy of Notice to File Missing Parts



00500
PATENT TRADEMARK OFFICE

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

for  Reg No: 50,461

Jane E. R. Potter
Registration No. 33,332

(JEP:cew) #275999



Page 1 of 1

#4

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

OC000000007755929

Date Mailed: 04/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$198.
 - \$72 for 8 total claims over 20.
 - \$126 for 3 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 633.**

05/07/2002 SDENBOR1 00000027 10090458

01 FC:201	370.00	DP
02 FC:203	72.00	DP
03 FC:205	65.00	DP
04 FC:202	168.00	DP

A copy of this notice MUST be returned with the reply.

05/17/2002 HHONAHM1 00000005 10090458

01 FC:202 126.00 00

Repln. Ref: 05/17/2002 HNDHAMH1 0014592900
DAS:191090 Name/Number:10090458
FL: 704 842.00 CR

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Adjustment date: 05/17/2002 HROHANN1

05/07/2002 SDENBOR1 00000027 10090458

04 FC:202 -168.00 DP



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/090,458	03/01/2002	1645	0.00	100103.403	4	28	6

CONFIRMATION NO. 3348

00500
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092

FILING RECEIPT



OC000000007755928



Date Mailed: 04/01/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Hongyun Chen, Vancouver, CANADA;
Ligia Kilinski, Vancouver, CANADA;
Stephane Le Bihen, Vancouver, CANADA;

Should be:

Stephane Le Bihan

Assignment For Published Patent Application

Active Pass Pharmaceuticals, Inc., Vancouver, CANADA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/272,885 03/02/2001

Foreign Applications

If Required, Foreign Filing License Granted 04/01/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Novel ABCA5 transporter and uses thereof

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Express Mail No. EV064838826US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hongyun Chen et al.
Application No. : 10/090,458
Filed : March 1, 2002
For : NOVEL ABCA5 TRANSPORTER AND USES THEREOF
Art Unit : 1645
Docket No. : 100103.403
Date : May 1, 2002

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents:

Attached is a copy of the official Filing Receipt received from the PTO in the above-identified application, for which issuance of a corrected Filing Receipt is respectfully requested.

There is an error with respect to the following data, which is incorrectly entered.
There is an error in the spelling of the third applicant's name, which should read Stephane
Le Bihan.



00500

PATENT TRADEMARK OFFICE

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

JN *Jules Verne* *Reg No 50,461*
Jane E. R. Potter
Registration No. 33,332

(JEP:cew) #280278

Enclosure: Copy of Filing Receipt (with corrections in red)